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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

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14 UNITED STATES OF AMERICA,) CR No. 12-mj-70126 MAG
15 Plaintiff,)
16 v.) STIPULATION AND [PROPOSED]
17 MONIQUE BURNS,) ORDER CHANGING HEARING DATE
18 Defendant.) AND EXCLUDING TIME
19

20 The Court has set July 20, 2012 as the date for a preliminary hearing or arraignment.

21 The parties hereby stipulate to set the preliminary hearing or arraignment date on August
22 31, 2012, and they request that the Court extend the time limits provided by Federal Rule of
23 Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is necessary for the
24 parties to explore possible pre-indictment resolution and to ensure continuity of counsel.

25 Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of
26 time, and the parties represent that good cause exists for this extension, including the effective
27 preparation of counsel and continuity of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). For the
28 same reasons, the parties also request that the Court exclude from the time limits of 18 U.S.C. §

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1 3161 the period from the date of this Order through August 31, 2012. The parties also agree that
2 the ends of justice served by granting such an exclusion of time outweigh the best interests of the
3 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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5 SO STIPULATED:

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MELINDA HAAG
United States Attorney

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DATED: July 19, 2012

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/s/
KEVIN J. BARRY
Assistant United States Attorney

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10 DATED: July 19, 2012

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/s/
CAMELLIA BARAY
Attorney for MONIQUE BURNS

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13 [PROPOSED] ORDER

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For the reasons stated above, the Court sets August 31, 2012, as the date for the arraignment or preliminary hearing. The Court finds that extension of time limits applicable under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through August 31, 2012, is warranted; that exclusion of this period from the time limits applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

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24 IT IS SO ORDERED.

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DATED: July 19, 2012

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